

**ZONING COMMISSION  
REGULAR MEETING JULY 21, 2010**

Joe Savarese opened the Regular Meeting at 6:05 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk, absent  
Richard Cool, absent  
Sally Brouillet, alternate

**OTHERS:**

Public: 14  
Wayne Zirolli, Boro PE  
Steve Macary, CZEO  
Allison Hurley, Asst. CZEO  
Keith Rosenfeld, Town Planner  
Jim Stewart, Dir. Public works  
Pat Scully, Burgess Liaison

**REGULAR MEETING**

1. Joe Savarese opened the meeting with the Pledge of Allegiance and then took attendance. At this point, it was determined that a quorum was present. Joe Savarese appointed Sally Brouillet a regular voting member in place of Richard Cool.
2. No Executive Session with Borough Attorney.
3. **VOTED:** Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to **APPROVE** the June Regular and Public Hearing meeting Minutes and the June Special Meeting and Public Hearing meeting minutes.
4. **OLD BUSINESS:**
  - A. Commission Discussion/ Decision for a Text Amendment to Section 44 (Alcoholic Beverages) of the Naugatuck Zoning Regulation. Applicant: Naugatuck Zoning Commission.  
The Commission agreed to continue the Public Hearing until next month's meeting.
  - B. Commission Discussion/ Decision for PDD #11 located on Prospect St. aka Route 68. Applicant: Fulling Mill Development LLC.  
The Commission did not make a decision.
  - C. Commission Discussion/ Decision for a Zone Change to a R-65 zone for properties located in the Borough of Naugatuck. Please see attached sheet for a list of the areas to be discussed.  
**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to **APPROVE** a Town wide Zone Change to R-65 zones for properties discussed during the Public Hearing effective 25 days from tonight's meeting. Applicant: Naugatuck Zoning Commission.
  - D. Commission Discussion/ Decision for a Special Permit Application regarding Conservation area located on Gunntown Road. Applicant: Borough of Naugatuck.  
**VOTED:** Unanimously on a motion by Diana Raczkowski and seconded by Neil Mascola to **APPROVE** with conditions a Special Permit Application for a Conservation area located on Gunntown Rd. Applicant: Borough of Naugatuck with the following conditions:

1. The removal of trees and shrubs to be cleared from line of site at the entrance of the park.
2. A sign to be posted before park entrance to read “ Slow Park Entrance Ahead”

**5. NEW BUSINESS:**

- A. New Business: Commission discussion regarding content, presentation and follow-up of monthly ZEO Report.  
Joe Savarese stated a spreadsheet is being used showing various complaints, sitewalks, and inspections etc. This will allow the commission and Steve to track and organize current and outstanding issues. When issues are corrected they will be dropped from the spreadsheet.

6. There were no Change of Use applications.
7. Public Comment.
8. Report of the ZEO regarding the following:

1. Tomo Restaurant, Rte 68 and Lines Hill Road.

Steve Macary said he and Wayne went out there and the owner said he would move it back but has not as of yet. Wayne Zirolli said that Steve Macary suggested they move the fence back in the next couple of weeks. Diana Raczkowski asked if they were doing this out of the goodness of their heart or are they in violation of something. Steve Macary said they are not in violation. Joe Savarese stated then there is nothing to pursue if there is no violation.

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Diana Raczkowski to add a discussion on the blight ordinance to the agenda.  
Diana Raczkowski stated the blight ordinance is a good document and a lot of work, time and effort went into it, but some things in it are difficult to understand and overlap the zoning ordinance. Steve Macary said the blight Commission new there was some overlapping and Ned Fitzpatrick the Borough Attorney had reviewed the ordinance. Sally Brouillet said the overlapping does not hurt anything. Diana Raczkowski feels the blight committee is becoming the Zoning Commission by changing the zoning regulations. Diana Raczkowski stated we (the Zoning Commission) are the only people by statute that can change or create zoning regulations. Steve Macary said he explained this to the Committee and they said they know it overlaps the zoning regulations but it will not interfere with them. Diana Raczkowski said she does not think they realized this and feels they should have come to the Zoning Commission for input. Diana Raczkowski suggested the Commission appeal to the blight committee to change the ordinance so it does not alter the Zoning Regulations.

9. There was no Chairman Report.

10. Adjournment:

**VOTED:** Unanimously on a motion by Neil Mascola and seconded by Sally Brouillet to adjourn the meeting at 9:32 P.M.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION  
PUBLIC HEARING MEETING JULY 21, 2010  
FOR TEXT AMENDMENT to SECTION 44 (ALCOHOLIC BEVERAGES) of  
the NAUGATUCK ZONING REGULATIONS. APPLICANT: NAUGATUCK  
ZONING COMMISSION**

Joe Savarese opened the Public Hearing Meeting at 6:17 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk, absent  
Richard Cool, absent  
Sally Brouillet, alternate

**OTHERS:**

Public: 11  
Wayne Zirolli, Boro PE  
Steve Macary, CZEO  
Allison Hurley, Asst. CZEO  
Pat Scully, Burgess Liaison

Joe Savarese read the amendment. He asked if there was any Public comment. Pat Scully of Lines Hill Rd said years ago the original Planning and Zoning Commission created these laws to protect the public, schools and churches etc. He said after reading the proposed amendment it allows you to do anything within certain footage of a school or church. You are eliminating all the current rules and regulations by allowing whether it be a strip club, bar or restaurant to go in across the street from schools. Pat Scully stated he is in full disagreement with this proposal. He feels the regulations should be left alone or the proposal should be rewritten correctly to protect the public's safety. Joe Savarese said about a year ago the Commission wrote up new definitions on what a restaurant, bar etc are. Pat Scully referenced the Planning Commissions vote at the July 12<sup>th</sup> meeting voting unanimously to send a negative referral. Diana Raczkowski commented that the planning Commission said it was not written well enough because it lacked information and suggested it be rewritten. Joe Savarese said the old regulations are good but need to be updated. Pat Scully agreed and suggest to grandfather in churches and schools under the old regulations. He said the way it is written it eliminates 99% of the regulations, which is wrong. The Commission agreed to continue the Public Hearing for August 18, 2010 at 6:15 P.M.

At 6:31 P.M. the Commission recessed for 15 minutes.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION**  
**CONTINUED PUBLIC HEARING MEETING JULY 21, 2010**  
**For PDD #11 LOCATED ON PROSPECT ST. AKA ROUTE 68.**  
**APPLICANT: FULLING MILL DEVELOPMENT LLC.**

Joe Savarese reconvened the Public Hearing Meeting at 6:47 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk, absent  
Richard Cool, absent  
Sally Brouillet, alternate

**OTHERS:**

Public: 9  
Wayne Zirolli, Boro PE  
Steve Macary, CZEO  
Allison Hurley, Asst. CZEO  
Pat Scully, Burgess Liaison  
Mike Ciacciarrella, Burgess Liaison  
Keith Rosenfeld, Town Planner  
Jim Stewart, Dir. Public Works

Attorney Mike McVerry, representing the applicant submitted and reviewed changes to a revised narrative. Attorney McVerry said he had spoken with the Fire Chief and he recommended keeping the entrance coming off Spring Road in Prospect which is the haul road for trucks for emergency vehicles with a gate and a knox box to allow Police and Fire access. The Fire Commission did not have a quorum at their July meeting so this will be on their August agenda. Attorney McVerry said the Conn. DOT had commented on of minor issues regarding excess to the site asking for changes in the plans of not any significant consequences. He reviewed the comments from COG. Paul Benevich, Engineer from Land Data handed out revised maps to the Commission and reviewed the minor changes.

Public Comment: Virginia Decker of 46 Grickis Lane asked the Commission when making their decision to please pay close attention to #8 which says that it will not distract from the character and value of the adjoining properties which happen to be residential. She said we appreciate the buffers but our view of the nice woods and trees has now changed to a mountain that is being taken down, noise and dust. Carl Mattson of Maple Hill Road had concerns with the following; white pine trees for buffers, traffic study was done in 2007 not accurate showed have required a new one, additional bonding should be required, noted the plans do not adhere to sections 34.1.1, 34.1.2 and feels the buffer should be 100 feet not 50. Pat Scully of Lines Hill Rd. asked the Commission if they received a referral from the Planning Commission. Joe Savarese stated the Planning Commission reported the land use was approved with a finding attached stating that the proposal does not adhere to the 2001 Plan of Conservation and Development. Joe Savarese said being the PODC is over 10 years old he is not sure the needs of the Borough back in 2003 when this was official meet the standards that we have right now. Mr. Scully said he was part of Commission who wrote the PODC and it was set up for a reason. The PODC has a 10 year life and are still in existence today. If you are saying the PODC is out dated then maybe the applicant would like to wait another year to see how

the PODC is rewritten and if it meets his needs then he can reapply. Pat Scully stated he does not think this board can pre guess what the PODC will be next year and this Commission has to go by the law as it is today. He stated this Commission has no right to write your own law. Scott Cabel 122 Maple Hill Rd. said his property has changed the past three years drastically because of all the clearing and feels the value of his home has decreased because of it. He also would like to see a larger buffer around the residential areas. Mike Regan of Prospect St. stated his concerns regarding noise, dust and who will maintain the cleaning of the drains and who will enforce it. Mr. Regan also would like to see the wells tested prior to construction. Bill Allison of 912 Prospect St. said Mr. McVerry's comment regarding the other industrial park being located across the street from this proposed PDD is incorrect. Mr. Allison stated his house is directly across the street from the entrance of the proposed project and feels his home will loose value along with all the rest of the residents in the area. James Regan of 946 Prospect St. said he is 75 years old and can remember the owners of the land when he was 15 bring trucks of sand into the property. He said they never took any material off. Mr. Regan stated the word quarry means to take something out. If the prior owners never took anything off the land then it was never a quarry. The Commission closed the Public Hearing.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION  
CONTINUED PUBLIC HEARING MEETING JULY 21, 2010  
FOR A ZONE CHANGE TO AN R-65 ZONE FOR PROPERTIES LOCATED  
IN THE BOROUGH OF NAUGATUCK.**

Joe Savarese reconvened the Public Hearing Meeting at 7:30 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk  
Richard Cool  
Sally Brouillet, alternate, absent

**OTHERS:**

Public: 7  
Wayne Zirolli, Boro PE  
Steve Macary, CZEO  
Allison Hurley, Asst. CZEO  
Keith Rosenfeld, Town Planner  
Jim Stewart, Dir. Public Works  
Pat Scully, Burgess Liaison  
Mike Ciacciarrella, Burgess Liaison

Keith Rosenfeld, Town Planner gave a presentation on the background of the proposed zone change. He recommends the proposed zone change reflects the POCD's strategies facilitating the development of "semi-rural residential" to include single family dwellings, of one or more acres (65,000 square feet), in outlying areas lacking public facilities.

Public Comment: Alex Wargo of 1058 Rubber Avenue said the commission has changed the reasoning behind the zoning because he thought it had to do with sewer usage and capacity. Alex said but now he understands it has to do with the PODC and density, which before it was limiting the sewer expansion and now it is alleviating the requirements of having sewer on new lots. Lewis Wilmont of 308 Gunntown Road and Dick Wilmont of 308 B Gunntown Road stated there concerns with the proposed zone change. The Commission closed the Public Hearing.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah

**ZONING COMMISSION  
CONTINUED PUBLIC HEARING MEETING JULY 21, 2010  
A SPECIAL PERMIT APPLICATION REGARDING THE  
CONSERVATION AREA LOCATED ON GUNNTOWN ROAD.  
APPLICANT: BOROUGH OF NAUGATUCK.**

Joe Savarese reconvened the Public Hearing Meeting at 6:05 P.M. with the following in attendance:

**MEMBERS:**

Joe Savarese, Chair  
Diana Raczkowski, Vice Chair  
Neil Mascola  
Stanley Jaroneczyk, absent  
Richard Cool, absent  
Sally Brouillet, alternate

**OTHERS:**

Public: 7  
Wayne Zirolli, Boro PE  
Steve Macary, CZEO  
Allison Hurley, Asst. CZEO  
Keith Rosenfeld, Town Planner  
Pat Scully, Burgess Liaison  
Mike Ciacciarrella, Burgess Liaison

Joe Savarese stated the application is complete and the Police Commission reported conditions which will be made part of the approval. There was no Public comment.

The Commission Closed the Public Hearing.

RESPECTFULLY SUBMITTED:

Neil Mascola, Secretary, ah